Appln. No.: 10/091,172

Appeal Brief Dated: November 13, 2007

## **Remarks/Arguments:**

This Amendment is being filed concurrently with an Appeal Brief pursuant to 37 C.F.R. §41.33 (b). This Amendment is proper as it rewrites objected to claims 10, 11 and 23 into independent form.

Entry of this Amendment and reconsideration and allowance of each of the pending claims are respectfully requested.

Respectfully Submitted,

RatnerPrestia

Joshua L. Cohen, Reg. No. 38,040 Glenn M. Massina, Reg. No. 40,081

Attorneys for Appellants

JLC/GMM/

Dated:

November 13, 2007

P.O. Box 980

Valley Forge, PA 19482-0980

(610) 407-0700

The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA

22313-1450 on: